

EACH WANTED TO BE BOSS.

Domestic Troubles of the Simons Reach the Divorce Court.

He Says She Abandoned Him; She Says She Was Forced Out.

Judge McAdam, in the Superior Court, was called upon today to settle the vexed question as to whether Sigmund Simon or Jennie Simon is the boss of the Simon household, and incidentally to decide upon the right of a wife to dictate the terms on which she is willing to live with her husband.

Sigmund Simon is a wealthy, retired dry-goods merchant. He married Miss Jennie Sampter, daughter of his former partner, on Jan. 18, 1886. Their home, at 2 West One Hundred and Thirty-first street, was fitted up in luxurious style, and for awhile the couple lived together happily.

Mrs. Simon says that of late her husband has not treated her with proper respect and consideration.

Last April Mrs. Simon took her two children and went home to her father, at 215 Fifth avenue.

Mr. Simon says he made every effort to induce his wife to return, but without avail. He finally applied to the Supreme Court for a writ of habeas corpus for the production of the children. Judge Barrett sent the matter to a referee.

Simon then brought suit for separation in the Superior Court. This morning Mrs. Simon applied to the court for alimony and counsel fees pending the trial of the suit.

Abel Hummel, in opposing the granting of alimony, said that Mrs. Simon had deliberately abandoned her husband, and that she was not entitled to alimony. He said that Mrs. Simon had a slight misunderstanding with her husband, but that she was not entitled to alimony.

Subsequently Mr. Simon was obliged to leave the city, and his wife came to him. In reply she wrote:

If you really wish to live with me you will have to recognize that I have some rights which a husband is bound to respect. I shall insist on entire management of the household. There are any complaints to be made or orders given it should be through me and after me. I will not have you interfere and after me to the house to insult me again. If they wish to see you they must do so through me. It is so I can be absent.

Mr. Hummel said that Mrs. Simon had good, comfortable home with her father, and that having left her husband's home voluntarily, was not entitled to alimony.

Attorney Greenbaum, on behalf of Mrs. Simon, said that she was forced to leave her husband's home, and that she was entitled to alimony.

The referee in this matter is leaving the question by her husband, said Judge McAdam. "Or whether it is a case of a wife who is forced to leave her husband's home, and that she is entitled to alimony."

Under the old English law, the husband's authority was supreme, and he was bound to support his wife. The law is different now, but the husband's reasonable commands must nevertheless be obeyed. The only exception is in cases where the wife has no money and is unable to support herself, but that is not the situation here.

IN SEARCH OF A WIFE.

Mrs. Nichols's Victims Willing to Pay \$10.

Mrs. Minnie E. Nichols, who posed as a gay young widow and swindled farmers out of small sums of money, is still in Raymond Street Jail, Brooklyn, because her father will not pay the fine of \$10 imposed by United States Judge Brown yesterday.

One of her two love-luck victims, who had come several hundred miles to prosecute her, is still in Brooklyn searching for a wife. He is E. O. York, a well-to-do jeweler of Westbury, L. I., who said Mrs. Nichols had been sentenced yesterday to jail for a few days for thinking she would soon be his wife.

After Mrs. Nichols had been sentenced yesterday to jail, she was taken to the States Marshall's office and asked Deputy James Higgins where she could find a wife to take back to Westbury with her.

Mr. Higgins suggested that he go through the big dry-goods stores and ask the owner of the saleswoman to accept his offer.

BROKER DUAL'S WIFE SUES.

Names Chambermaids as Co-respondents and Charges Cruelty.

GIGANTIC MINING SWINDLE.

President of a Montana Loan Company on Trial.

RUTHE, Mont., March 26.—Henry L. Haupt, President of the Montana Mining Loan and Investment Company, is on trial in the United States Court here on the charge of sending unmailed matter through the Post-Office.

The testimony introduced developed a gigantic swindling scheme, in which many prominent men, including the Governor of the State, were innocently implicated.

The entire property of the concern is not worth over \$150,000, and its mines, which are located near Ruthe, are worthless. Haupt, it is alleged, has offices in London, New York, Chicago, St. Louis, San Francisco, and other cities.

STIFFENING THEIR BIDS.

Government Contracts Show Which Way the Wind Blows.

(Special to The Evening World.)

WASHINGTON, March 26.—"One of the surest signs of reviving business throughout the country," said Chief Clerk Kemper, of the Supervising Architect's office, today, "is the fact that the Government will accept bids on Government work all over the country. It shows that both building material and labor are advancing."

GOOD NEWS FOR MR. DAYTON.

Contract for New Plumbing in the Post-Office Building Awarded.

(Special to The Evening World.)

WASHINGTON, D. C., March 26.—The contract for reconstructing the entire plumbing of the New York City Post-Office was awarded today to Blackburn Plumbing Co., of New York, the lowest bidder, at \$25,000.

The work is to be completed in ninety days from the signing of the formal contract, which will be about April 3.

The bids for elevators in the same building will be opened March 28. It is about April 15 advertisements will be published for arranging the ventilating system of the Post-Office.

The contract was made from the special appropriation of \$50,000 voted by the last Congress.

ONE DAY'S SUDDEN DEATHS.

Pistol and the River Tried as Means of Escape From Life.

George Ferguson, sixty years old, a hospital nurse, committed suicide this morning in a lodging-house at 238 Henry street by shooting himself in the head with a .38-caliber revolver.

Frank McDonald, twenty-five years old, an unmarried stone mason, living at 9 Chatham square, attempted to commit suicide at 9 o'clock this morning by jumping into the East River at pier 2.

Edward J. Finch, sixty-six years old, a coal miner, was found dead in bed at his home, 208 Third avenue, at 8:30 o'clock this morning.

These letters were written, probably, by advice of counsel, but they were not sent to the authorities. Mr. Hummel said that he would not reflect upon me with impunity. I want you to understand I will resent it.

Greenbaum said Simon had packed his house with furniture and had bounded Mrs. Simon about until she was forced to leave the house. The quarrel over the French maid was merely an incident.

The only question in this matter is whether the wife was forced to leave her husband's home, said Judge McAdam. "Or whether it is a case of a wife who is forced to leave her husband's home, and that she is entitled to alimony."

Under the old English law, the husband's authority was supreme, and he was bound to support his wife. The law is different now, but the husband's reasonable commands must nevertheless be obeyed. The only exception is in cases where the wife has no money and is unable to support herself, but that is not the situation here.

JURY ON FIRE DEPARTMENT.

Many Witnesses Being Examined by That Body.

The Oyer and Terminer Grand Jury today continued its investigation of the Fire Department.

Many witnesses were before the body when it met at 10 o'clock. The first witness examined was John P. Derrahy, of 215 West Sixty-seventh street, who was indicted last Friday by the Oyer and Terminer Grand Jury on a charge of receiving stolen goods.

He was charged with going into a booth at the polls on election day with a gun, and with shooting a man.

Goat Seeks a Gas Overcharge.

Reckless Golf has caused the collection of the Central Gaslight Company, Ltd., of \$1,000 against the city. It was found that the company had charged the city for laying new pipes and trenches in East One Hundred and Thirty-eighth street.

The Recorder decided that this was illegal, and on his motion the bill was struck out. A similar bill of the Northern Gas Light Company for \$4,000 is questioned by the Board of Assessors, who say the city has paid \$25,000 in gas charges. Recorder Giff will probably lay the matter before Mayor Strong.

Attacked a Girl on the Street.

A saloon hanger-on, who is said to go by the name of "Red," attacked a thirteen-year-old girl yesterday afternoon on West Seventeenth street, between Seventh and Eighth avenues, and tried to take away a \$2 bill she carried in her hand.

The girl was nearly strangled, but the crowd that gathered around her saved her. The girl was taken to the hospital, and the man was arrested.

Crya W. Field Estate.

John P. Wickers, an auxiliary executor of the will of Herman Field, obtained from Judge McKim an order for the production of an agreement, which is claimed to have been signed by Crya W. Field on April 14, 1904, which named Field as executor of the will.

Wickers has a suit pending against Field's executor and the executor of Field's will, who is said to have received \$100,000, value of 724 shares of Sugar stock.

Mrs. Schwartz Beat a Dog-Catcher.

Adolph Valther, one of the Borough Society's dog-catchers, complained in the Bronx Municipal Court today that Mrs. Schwartz had beaten him.

Valther, who is said to be a Polish Jew, was charged with beating Mrs. Schwartz, who is said to be a Polish Jew, on March 15, at 172 North Second street, between Fifth and Sixth avenues.

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MINES GETS THREE YEARS.

J. P. Morgan's Old Employee Sent to the Penitentiary.

Leniency Recommended to the Court by the Banker.

Harry Mines, who last Wednesday confessed to having stolen \$40,000 from J. P. Morgan & Co., was taken into Part I. of the General Sessions Court today to be sentenced by Judge Fitzgerald.

Mines's lawyer made a plea for mercy, and said that a number of years ago, when Mines was a young man, somebody placed great confidence in him and put into his hands a large sum of money to invest as he thought best.

Mines was unfortunate in investments, and to cover the loss of his friend began his thieving.

"Last Monday week," his counsel said, "Mines reported at the office of J. P. Morgan & Co., then went straight to the Imperial Hotel, where he wrote a letter to Mr. Morgan, confessing to having stolen from the firm."

"That evening he went to Mr. Morgan's house, but Mr. Morgan was not at home. Mines then wrote to another partner and received a letter, making an appointment on Wednesday at the Hotel House. He went there expecting to meet Mr. Morgan or some member of the firm, but a detective met him instead and arrested him."

"Mines has turned over to the firm all of his property, amounting to \$4,515. Judge Fitzgerald said that Mr. Morgan had asked him to be as lenient as possible."

Mines's sentence was fixed at three years in the penitentiary.

HANDSOME HARRY IN A CELL.

A Boston Man Charges Broker Goldsmith with Fraud.

H. Oliver Goldsmith, of the brokerage firm of Harrington, Moore & Co., 24 and Broadway, is a prisoner in the Tombs in default of \$1,000 bail, in which he was held yesterday afternoon by Justice Voorhis upon a charge of grand larceny, made against him by John H. Fisher, of 20 Congress street, Boston.

Goldsmith is a well-dressed man of thirty-two. He dresses fashionably, and has been known among his associates in Wall street as "Handsome Harry."

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THURSTON IS GOING HOME.

Leaves Washington for Honolulu To-Morrow.

Insists that He Has No Official Notice of Recall.

(Special to The Evening World.)

WASHINGTON, March 26.—The Hawaiian Minister, Thurston, has given Secretary Gresham a round for his olive. Thurston announces that he will leave Washington in time to take the steamer for Honolulu which sails from San Francisco April 4.

In conversation with "The Evening World" correspondent, Minister Thurston reiterated his former assertion that he has received no intimation official or unofficial from either the State Department or the Hawaiian Government that his recall has been demanded.

He is still in absolute ignorance of the actual fact, save so far as the newspapers have conveyed the information and the State Department has not yet affirmed nor denied the report.

But Minister Thurston does more than tell the Government that he is innocent of the charge. He says that he is innocent of the charge.

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NEW JERSEY.

AN UNLUCKY BLOW.

It Landed a Man on His Head and Fractured His Skull.

Simon Spahnwitz, a shoe dealer, of 632 Communipaw avenue, Jersey City, was annoyed by boys throwing stones at his windows and signs last night. Spahnwitz caught some of the boys. Wilson Beckman, a young colored man, a teamster, of 20 Harrison street, who was passing, was accused by the shoe dealer of being one of the gang. The negro denied the charge, when the shoe dealer struck him in the face. The negro then hit the shoe dealer, knocking Spahnwitz to the ground. In falling his head struck against a beam.

He did not arise, and Beckman began to walk off. Spahnwitz was carried to his apartment over the store and Spahnwitz was summoned. The man's skull had been fractured by falling on the sidewalk. Detective Holtz arrested Beckman. Spahnwitz has not regained consciousness, and it is feared he will die.

Beckman was arraigned before Judge DeLoach yesterday morning, having been thrown stones, and said he was struck without provocation. He was locked up and the State Attorney has notified the police. The authorities are of the opinion that Beckman was innocent of the stone-throwing.

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